

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION CORPORATION,

Plaintiff,

v.

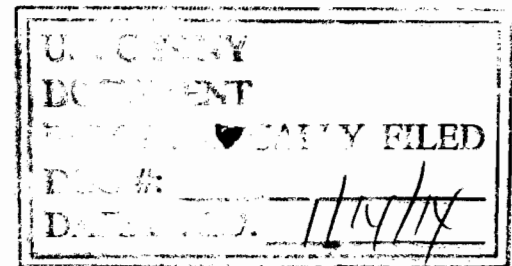
BERNARD L. MADOFF INVESTMENT SECURITIES LLC,

Defendant.

In re:

Madoff Securities

12 MC 115 (JSR)



Jed S. Rakoff, U.S.D.J.

In 2012, the Court consolidated proceedings regarding various issues on which the Court withdrew the reference to the Bankruptcy Court in avoidance and recovery act brought by Irving H. Picard (the “Trustee”), appointed as trustee pursuant to the Securities Investor Protection Act (“SIPC”) for the consolidated liquidation of Bernard L. Madoff Investment Securities, LLC (“Madoff Securities”). See, e.g., Order Regarding 11 U.S.C. § 550(a), No. 12 MC 115, ECF No. 314 (S.D.N.Y. Aug. 22, 2012); Order Regarding the “Good Faith” Standard, No. 12 MC 115, ECF No. 197 (S.D.N.Y. June 25, 2012); Order Regarding Extraterritoriality Issues, No. 12 MC 115, ECF No. 167 (S.D.N.Y. June 7, 2012); Order Regarding 11 U.S.C. § 502(d), No. 12 MC 115, ECF No. 155 (S.D.N.Y. June 11, 2012); Order Regarding Standing and SLUSA Issues, No. 12 MC 115, ECF No. 114 (S.D.N.Y. May 18, 2012); Order Regarding 11 U.S.C. § 546(e), No. 12 MC 115, ECF No. 119 (S.D.N.Y. May 16, 2012); Order Regarding Antecedent Debt Issues, No. 12 MC 115, ECF No. 107 (S.D.N.Y. May 16, 2012); Order Regarding Stern v. Marshall, No. 12 MC 115, ECF No. 4 (S.D.N.Y. April 13, 2012).

Filed with each of these consolidation orders was a schedule of cases included within that consolidated proceeding. However, at the time the Orders were issued, some cases had not yet been assigned case numbers, and thus those cases were listed only by name in the appended schedule. Additionally, since the filing of those Orders, the Trustee initiated new adversary proceedings, and the Court issued various orders, on the consent of the parties, adding these individual cases to one or more of the consolidated proceedings.

Accordingly, in order to ensure that any proceedings in the consolidated matters were docketed in each case covered by that proceeding, on May 11, 2013, the Court entered an order (the “Docketing Order”) (12 MC 115, ECF No. 468) appended to which was a list all of the cases that had previously been missing case numbers or that had been added since the original consolidation orders were issued. Furthermore, the Docketing Order directed the Clerk of the Court to docket the orders: (1) on the docket of 12 MC 115; (2) on the docket of the cases listed in the original schedule appended to the relevant consolidation order; and (3) on the docket of cases listed in the schedule appended to the Docketing Order, to the extent that a given case was added to the relevant consolidated proceeding. Following entry of the Docketing Order, the Clerk of Court docketed all of the orders consistent with the instructions of the Court.

On October 28, 2013, the Court issued its Opinion and Order with respect to the first consolidated proceeding issue listed above (the “550(a) Decision”). In connection with the 550(a) Decision, the Court directed that the following adversary proceedings be returned to the Bankruptcy Court: “(1) those cases listed in Exhibit A of item number 314 on the docket of 12 Misc. 115 [the 550(a) consolidated briefing cases]; and (2) those cases listed in the schedule attached to item number 468 on the docket of 12 Misc. 115 that were designated as having been added to the ‘section 550(a)’ consolidated briefing.”

The Clerk of Court docketed the 550(a) Decision in the cases of all defendants that participated in the “section 550(a)” consolidated briefing; however, the 550(a) Decision, including the language quoted above, was also docketed in certain cases listed on the exhibit to the Docketing Order that were not designated as having been added to the “section 550(a)” consolidated briefing. See, e.g., No. 12 CV 02239, ECF No. 18 (S.D.N.Y. October 29, 2013). Accordingly, the Court hereby directs that the Clerk of Court remove the 550(a) Decision docket entry in all cases listed in the schedule appended to this Order, which are certain cases that were not designated as having been added to the “section 550(a)” consolidated briefing and whose Defendants have requested that the 550(a) Decision be removed from their respective docket.

So Ordered:

Dated: New York, NY
January 13 , 2014



JED S. RAKOFF, U.S.D.J.

Cases Not Designated as Part of the Section 550(a) Consolidated Briefing and Related Decision, Dated October 28, 2013

CASE NAME	CASE NO.	ATTORNEY OF RECORD
Picard v. Wolfson Equities	11-cv-09449- JSR	K&L Gates LLP Richard A. Kirby (richard.kirby@klgates.com) Robert Honeywell (robert.honeywell@klgates.com)
Picard v. ZWD Investments	11-cv-09450- JSR	K&L Gates LLP Richard A. Kirby (richard.kirby@klgates.com) Robert Honeywell (robert.honeywell@klgates.com)
Picard v. Lanx BM Investments	11-cv-09448- JSR	K&L Gates LLP Richard A. Kirby (richard.kirby@klgates.com) Robert Honeywell (robert.honeywell@klgates.com)
Picard v. South Ferry #2 LP	11-cv-09451- JSR	K&L Gates LLP Richard A. Kirby (richard.kirby@klgates.com) Robert Honeywell (robert.honeywell@klgates.com)
Picard v. South Ferry Building Co.	11-cv-09447- JSR	K&L Gates LLP Richard A. Kirby (richard.kirby@klgates.com) Robert Honeywell (robert.honeywell@klgates.com)
Picard v. United Congregations Mesora	11-cv-09445- JSR	K&L Gates LLP Richard A. Kirby (richard.kirby@klgates.com) Robert Honeywell (robert.honeywell@klgates.com)
Picard v. Chesed Congregations of America	11-cv-09446-JSR	K&L Gates LLP Richard A. Kirby (richard.kirby@klgates.com) Robert Honeywell (robert.honeywell@klgates.com)

CASE NAME	CASE NO.	ATTORNEY OF RECORD
Picard v. Barfield Nominees Limited et al	12-cv-05278- JSR	Katten Muchin Rosenman LLP Anthony L. Paccione (anthony.paccione@kattenlaw.com) Bruce M. Sabados (bruce.sabados@kattenlaw.com)
Picard v. ABN AMRO Fund Services (Isle of Man) Nominees Limited, et al.)	12-cv-06290- JSR	Tannenbaum Helpern Syracuse & Hirschtritt LLP Ralph A. Siciliano (siciliano@thsh.com) Zev. F. Raben (raben@thsh.com)
Picard v. Kohn, et al. (as filed by UniCredit Bank Austria AG)	12-cv-02161	Sullivan & Worcester LLP Franklin B. Velie (fvelie@sandw.com) Jonathan Kortmanský (jkortmanský@sandw.com) Mitchell C. Stein (mstein@sandw.com)
Picard v. HSBC Bank, plc, et al. (as filed by UniCredit Bank Austria AG)	12-cv-02162	Sullivan & Worcester LLP Franklin B. Velie (fvelie@sandw.com) Jonathan Kortmanský (jkortmanský@sandw.com) Mitchell C. Stein (mstein@sandw.com)
Picard v. HSBC Bank, plc, et al. (as filed by UniCredit S.p.A. and Pioneer Alternative Investment Management Ltd.)	12-cv-02239	Skadden, Arps, Slate, Meagher & Flom LLP Susan L. Saltzstein (susan.saltzstein@Skadden.com) Marco E. Schnabl (Marco.Schnabl@Skadden.com) Jeremy A. Berman (jeremy.berman@Skadden.com) Jason C. Putter (jason.putter@skadden.com)
Picard v. Kohn, et al. (as filed by UniCredit S.p.A. and Pioneer Global Asset Management S.p.A.)	12-cv-02240	Skadden, Arps, Slate, Meagher & Flom LLP Susan L. Saltzstein (susan.saltzstein@Skadden.com) Marco E. Schnabl (Marco.Schnabl@Skadden.com) Jeremy A. Berman (jeremy.berman@Skadden.com) Jason C. Putter (jason.putter@skadden.com)

CASE NAME	CASE NO.	ATTORNEY OF RECORD
Picard v. Kostin Company, et al.	12cv-02409	Morgan, Lewis & Bockius LLP Bernard J. Garbutt III (bgarbutt@morganlewis.com) Menachem O. Zelmanovitz (mzelmanovitz@morganlewis.com) Andrew D. Gottfried (agottfried@morganlewis.com)
Picard v. Bennett M. Berman Trust, et al. (Jeffrey Berman and Jeffrey Berman Foundation - Moving Parties)	12-cv-02451	Goodwin Procter LLP Daniel M. Glosband (dglosband@goodwinprocter.com) Larkin M. Morton (lmorton@goodwinprocter.com) Christopher Newcomb (cnewcomb@goodwinprocter.com) Proskauer Rose LLP Richard L. Spinogatti (rspinogatti@proskauer.com)
Picard v. Katz Group Limited Partnership, et al.	12-cv-02523	Becker Meisel LLC Stacey L. Meisel (slmeisel@beckermeisel.com)
Picard v. Kohn, et al. (as filed by the Kohn Defendants)	12-cv-02639	The Law Office of Sheldon Eisenberger Sheldon Eisenberger (sheldon@eisenbergerlaw.com) Neuberger, Quinn, Gielen, Rubin & Gibber, PA Price O. Gielen (pog@nqgrg.com) Nathan D. Adler (nda@nqgrg.com)
Picard v. HSBC Bank, plc, et al. (as filed by the Kohn Defendants)	12-cv-02640	The Law Office of Sheldon Eisenberger Sheldon Eisenberger (sheldon@eisenbergerlaw.com) Neuberger, Quinn, Gielen, Rubin & Gibber, PA Price O. Gielen (pog@nqgrg.com) Nathan D. Adler (nda@nqgrg.com)
Picard v. Deborah Madoff, et al. (Deborah Madoff – Moving Party)	12-cv-02751	Cohen & Gresser LLP Mark S. Cohen (mcohen@cohengresser.com) Daniel H. Tabak (dtabak@cohengresser.com)

CASE NAME	CASE NO.	ATTORNEY OF RECORD
Picard v. Peter B. Madoff, et al. (Deborah Madoff and Stephanie S. Mack – Moving Parties)	12-cv-02752	Cooley LLP Alan Levine (alevine@cooley.com) Lawrence C. Gottlieb (lgottlieb@cooley.com) Laura Grossfield Birger (lbirger@cooley.com) Michael A. Klein (mklein@cooley.com) Cohen & Gresser LLP Mark S. Cohen (mcohen@cohengresser.com) Daniel H. Tabak (dtabak@cohengresser.com)
Picard v. JD Partners LLC, et al.	12-cv-02755	King & Spalding LLP Arthur J. Steinberg (asteinberg@kslaw.com) Heath D. Rosenblat (hrosenblat@kslaw.com)
Picard vs. America Israel Cultural Foundation, Inc	12-cv-02756	SNR Denton US LLP Carole Neville (carole.neville@snrdenton.com)
Picard v. HSD Investments, L.P., et al	12-cv-02757	King & Spalding LLP Arthur J. Steinberg (asteinberg@kslaw.com) Michael A. Bartelstone (mbartelstone@kslaw.com)
Picard vs. RKD Investments, L.P, et al.	12-cv-02759	King & Spalding LLP Arthur J. Steinberg (asteinberg@kslaw.com) Michael A. Bartelstone (mbartelstone@kslaw.com)
Picard v. Richard M. Glantz, et al.	12-cv-02778	Law Office of Richard E. Signorelli Richard E. Signorelli (rsignorelli@nyclitigator.com) Bryan Ha (bhanyc@gmail.com)
Picard v. Macher Family Partnership, et al.	12-cv-02779	Law Office of Richard E. Signorelli Richard E. Signorelli (rsignorelli@nyclitigator.com) Bryan Ha (bhanyc@gmail.com)

CASE NAME	CASE NO.	ATTORNEY OF RECORD
Picard v. Stephen H. Stern	12-cv-02780	Law Office of Richard E. Signorelli Richard E. Signorelli (rsignorelli@nyclitigator.com) Bryan Ha (bhanyc@gmail.com)
Picard v. Dahme Family Bypass Testamentary Trust Dated 10/27/76, et al	12-cv-02781	Law Office of Richard E. Signorelli Richard E. Signorelli (rsignorelli@nyclitigator.com) Bryan Ha (bhanyc@gmail.com)
Picard v. The Lustig Family 1990 Trust, et al	12-cv-02782	Law Office of Richard E. Signorelli Richard E. Signorelli (rsignorelli@nyclitigator.com) Bryan Ha (bhanyc@gmail.com)
Picard v. David Ivan Lustig	12-cv-02783	Law Office of Richard E. Signorelli Richard E. Signorelli (rsignorelli@nyclitigator.com) Bryan Ha (bhanyc@gmail.com)
Picard v. Liselotte J. Leeds Lifetime Trust	12-cv-02784	Dow Lohnes PPLC Leslie H. Wiesenfelder (lwiesenfelder@dowlohnesc.com) Michael Hays (mhays@dowlohnesc.com)
Picard v. Michael S. Leeds, et al.	12-cv-02785	Dow Lohnes PPLC Leslie H. Wiesenfelder (lwiesenfelder@dowlohnesc.com) Michael Hays (mhays@dowlohnesc.com)
Picard vs. The Leeds Partnership, et al.	12-cv-02786	Dow Lohnes PPLC Leslie H. Wiesenfelder (lwiesenfelder@dowlohnesc.com) Michael Hays (mhays@dowlohnesc.com)

CASE NAME	CASE NO.	ATTORNEY OF RECORD
Picard v. The Public Institution for Social Security	12-cv-02787	Goodwin Procter LLP Daniel M. Glosband (dglosband@goodwinprocter.com) Larkin M. Morton (lmorton@goodwinprocter.com) Christopher Newcomb (cnewcomb@goodwinprocter.com)
Picard v. MAF Associates, LLC, et al.	12-cv-02788	King & Spalding LLP Arthur J. Steinberg (asteinberg@kslaw.com) Heath D. Rosenblat (hrosenblat@kslaw.com)
Picard vs. Dawn Pascucci Barnard, et al.	12-cv-02792	King & Spalding LLP Arthur J. Steinberg (asteinberg@kslaw.com) Heath D. Rosenblat (hrosenblat@kslaw.com)
Picard v. Dean L. Greenberg	12-cv-02794	Klestadt & Winters LLP Tracy L. Klestadt (tklestadt@klestadt.com) Brendan M. Scott (bscott@klestadt.com) Leonard, Street and Deinard Allen I Sacks (ais1548@leonard.com) Blake Shepard (blake.shepard@leonard.com)
Picard v. Estate of Samuel Robert Roitenberg, et al.	12-cv-02795	Klestadt & Winters LLP Tracy L. Klestadt (tklestadt@klestadt.com) Brendan M. Scott (bscott@klestadt.com) Leonard, Street and Deinard Allen I Sacks (ais1548@leonard.com) Blake Shepard (blake.shepard@leonard.com)

CASE NAME	CASE NO.	ATTORNEY OF RECORD
Picard v. Sheldon Shaffer, et al.	12-cv-02796	<p>Klestadt & Winters LLP Tracy L. Klestadt (tklestadt@klestadt.com) Brendan M. Scott (bscott@klestadt.com)</p> <p>Leonard, Street and Deinard Allen I Sacks (ais1548@leonard.com) Blake Shepard (blake.shepard@leonard.com)</p>
Picard v. Sheldon Shaffer Trust Dtd 3/26/1996, et al.	12-cv-02797	<p>Klestadt & Winters LLP Tracy L. Klestadt (tklestadt@klestadt.com) Brendan M. Scott (bscott@klestadt.com)</p> <p>Leonard, Street and Deinard Allen I Sacks (ais1548@leonard.com) Blake Shepard (blake.shepard@leonard.com)</p>
Picard v. Sidney Ladin Revocable Trust Dated 12/30/96, et al.	12-cv-02798	<p>Klestadt & Winters LLP Tracy L. Klestadt (tklestadt@klestadt.com) Brendan M. Scott (bscott@klestadt.com)</p> <p>Leonard, Street and Deinard Allen I Sacks (ais1548@leonard.com) Blake Shepard (blake.shepard@leonard.com)</p>
Picard v. KBC Investments Limited,	12-cv-02877	<p>Sidley Austin LLP Alan M. Unger (aunger@sidley.com) Bryan Krakauer (bkrakauer@sidley.com)</p>
Picard vs. George E. Nadler	12-cv-02923	<p>Ingram Yuzek Gainen Carroll & Bertolotti, LLP Daniel L. Carroll (dcarroll@ingramllp.com) Jennifer B. Schain (jschain@ingramllp.com)</p>
Picard v. Janis Berman	12-cv-02924	<p>Ingram Yuzek Gainen Carroll & Bertolotti, LLP Daniel L. Carroll (dcarroll@ingramllp.com) Jennifer B. Schain (jschain@ingramllp.com)</p>

CASE NAME	CASE NO.	ATTORNEY OF RECORD
Picard vs. Candice Nadler Revocable Trust DTD 10/18/01, et al.	12-cv-02925	Ingram Yuzek Gainen Carroll & Bertolotti, LLP Daniel L. Carroll (dcarroll@ingramllp.com) Jennifer B. Schain (jschain@ingramllp.com)
Picard v. Loeb Living Trust, et al	12-cv-02926	Katten Muchin Rosenman LLP Anthony L. Paccione (anthony.paccione@kattenlaw.com) Brian L. Muldrew (brian.muldrew@kattenlaw.com)
Picard v. Leon Flax, et al.	12-cv-02928	Katten Muchin Rosenman LLP Anthony L. Paccione (anthony.paccione@kattenlaw.com) Brian L. Muldrew (brian.muldrew@kattenlaw.com)
Picard vs. Scott Gottlieb, et al.	12-cv-02931	Day Pitney LLP Joshua W. Cohen (jwcohen@daypitney.com)
Picard v. Merkin, et al.	12-cv-02933	Dechert LLP Andrew J. Levander (andrew.levander@dechert.com) Neil A. Steiner (neil.steiner@dechert.com) Reed Smith LLP James C. McCarroll (jmccarroll@reedsmith.com) Jordan W. Siev (jsiev@reedsmith.com) John L. Scott (jlscott@reedsmith.com)
Picard vs. Gail Nessel	12-cv-04178	Halperin Battaglia Raicht, LLP Alan D. Halperin (ahalperin@halperinlaw.net) Scott A. Ziluck (sziluck@halperinlaw.net) Neal W. Cohen (ncohen@halperinlaw.net)